Remarks/Arguments

The present amendment is submitted in an earnest effort to advance this case to issue without delay.

1. The claims in the case have been amended in a manner which applicant believes will remove eh object under 35 USC 102(b) of claims on BODFORD et al, patent 5,705,011. All of the claims now make clear that the bonding threads 5 initially deposited on the web 3 are in a wavy pattern from a melt-blown nozzle of a melt derived from an extruder. Since BODFORD et al, Patent 5,705,011 does not deposit from a melt-blown nozzle extruder melted synthetic resins, the rejection under 35 USC 102(b) must be withdrawn.

2. The invention is a method of making a composite in which an open core first web and a foil or film second web are bonded together by applying a molten bonding polymer in wavy threads from a melt-blown nozzle to one of the webs and then applying the second web thereto to form the composite.

The two surfaces are not, as is customary, secured together by a surface application of an adhesive but rather are bonded together by molten wavy bonding polymer threads so applied that free space can be found between the threads. It is especially

significant that the molten bonding polymer is extruded from an extruder and produced by a melt-blown nozzle. The bonding polymer is thus applied to the first layer and does not influenced at all or at least to any significant extent the breaching characteristics of the film and in addition, does not detrimentally affect the softness contributed by a fleece or mat forming the openwork web.

3. It has been noted that BODFORD et al discloses a composite and it can be stated that a fleece bonded to a synthetic resin foil through the intermediary of an adhesive is known. Adhesion can be in the form of filaments, usually of the same diameter. In earlier systems, such films are generally linear and are deposited parallel to one another.

As a general statement, the art does not disclose two members bonded together by threads in a wavy pattern from a melt-blown nozzle where those filaments have a wavy pattern, derived from an extruded melt or both.

In KWOK et al, patent 5,882,573, the reference mentions the application of an adhesive in the form of wave-like threads. The adhesive comes from a nozzle. The wave shape is produced or controlled at the nozzles or nozzle openings. A method of making a composite in which between the first and second webs a molten bonding polymer is provided is not disclosed in this reference.

Furthermore, no thread-like molten bonding polymer derived from an extruder is provided.

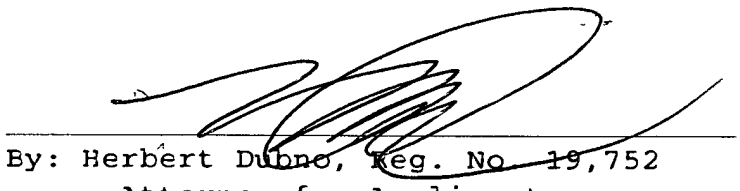
The WELCH et al reference WO 02/059410 A2 also relates to the application of adhesive to a substrate but without any relationship to the products made in accordance with the invention and thus the reference does not teach anything more than is found in US Patent 5,882,573.

Having therefore disposed of the challenge to the novelty of the subject matter claims, applicant wishes to make clear that not one of the references or any combination suggests the invention now recited since the use of melt-blown threads of extruded material in a wavy pattern can result in a surprisingly quick response in bonding. When added to that is the fact that the breathability of the composite practically corresponds to that of the film and is unaffected by the bonding operation, it should be apparent that the claims are allowable under 35 USC 103 also since the claimed subject matter is not taught or suggested by any reference in the case.

Claims 1-7, 10-17 and 20 are therefore deemed to be allowable and an early Notice to that effect is earnestly solicited.

4. A petition for an automatic two-month extension of the term is enclosed together with a credit form for the petition fee.

Respectfully submitted,
The Firm of Karl F. Ross P.C.



By: Herbert Dubno, Reg. No. 19,752
Attorney for Applicant

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April 21, 2005
5676 Riverdale Avenue Box 900
Bronx, NY 10471-0900
Cust. No.: 535
Tel: (718) 884-6600
Fax: (718) 601-1099

Enclosures: Petition for extension
PTO Form 2038 for $450